

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
MARTIN PETER MAYER,**

Plaintiff,

**9:17-cv-905
(GLS/CFH)**

v.

SCOTT LIBERTY et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Martin Peter Mayer
Pro Se
51 Richmond Ave.
Apr. AO
Buffalo, NY 14222

FOR THE DEFENDANTS:

Shannon Finnel
Johnson & Laws, LLC
648 Plank Road, Suite 204
Clifton Park, NY 12020

APRIL J. LAWS, ESQ.
COREY A. RUGGIERO, ESQ.
GREGG T. JOHNSON, ESQ.
LORAIN C. JELINEK, ESQ.

Scott Liberty & Glenn Schroyer

NO APPEARANCE

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following a Report-
Recommendation and Order (R&R) by Magistrate Judge Christian F.

Hummel duly filed on May 15, 2019. (Dkt. No. 50.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed,¹ and the court having reviewed the R&R for clear error, it is hereby

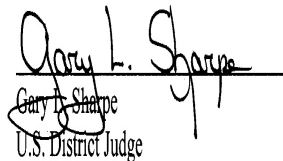
ORDERED that the Report-Recommendation and Order (Dkt. No. 50) is **ADOPTED** in its entirety; and it is further

ORDERED that defendant Shannon Finnel's motions to dismiss pursuant to Fed. R. Civ. P. 41(b) (Dkt. Nos. 45, 46) are **DENIED** without prejudice; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

September 10, 2019
Albany, New York


Gary L. Sharpe
U.S. District Judge

¹ On June 6, 2019, plaintiff Martin Peter Mayer filed a "response to Report Recommendation And Order." (Dkt. No. 52.) In that document, Mayer provides the following statement: "I hereby accept and do not object." (*Id.*) As such, no objections have been submitted for consideration by either party.